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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.
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09/071,664 05/01/98 SHAFFER

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EXAMINER

LM01/1210

SIEMENS CORPORATION
INTELLECTUAL PROPERTY DEPARTMENT
186 WOOD AVENUE SOUTH
ISELIN NJ 08830

ART UNIT, B

PAPER NUMBER

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner of Patents and Trademarks

Office Action Summary

Application No.

09/071,664

Applicant(s)

Shaffer et al

Examiner

Bing Bul

Group Art Unit

2742



☒ Responsive to communication(s) filed on May 1, 1998

☐ This action is **FINAL**.

☐ Since this application is in condition for allowance except for formal matters, **prosecution as to the merits is closed** in accordance with the practice under *Ex parte Quayle*, 35 C.D. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claim

☒ Claim(s) 1-19 is/are pending in the application.

Of the above, claim(s) _____ is/are withdrawn from consideration.

☐ Claim(s) _____ is/are allowed.

☒ Claim(s) 1-19 is/are rejected.

☐ Claim(s) _____ is/are objected to.

☐ Claims _____ are subject to restriction or election requirement.

Application Papers

☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.

☐ The drawing(s) filed on _____ is/are objected to by the Examiner.

☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.

☐ The specification is objected to by the Examiner.

☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

☐ Acknowledgement is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).

☐ All ☐ Some* ☒ None of the CERTIFIED copies of the priority documents have been

☐ received.

☐ received in Application No. (Series Code/Serial Number) _____.

☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

☐ Acknowledgement is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

☒ Notice of References Cited, PTO-892

☒ Information Disclosure Statement(s), PTO-1449, Paper No(s). 2 and 3

☐ Interview Summary, PTO-413

☐ Notice of Draftsperson's Patent Drawing Review, PTO-948

☐ Notice of Informal Patent Application, PTO-152

— SEE OFFICE ACTION ON THE FOLLOWING PAGES —

Art Unit: 2742

DETAILED ACTION

Drawings

1. This application has been filed with informal drawings which are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless --

(e) the invention was described in a patent granted on an application for patent by another filed in the United States before the invention thereof by the applicant for patent, or on an international application by another who has fulfilled the requirements of paragraphs (1), (2), and (4) of section 371(c) of this title before the invention thereof by the applicant for patent.

3. Claims 1-19 are rejected under 35 U.S.C. 102(e) as being anticipated by Smiley et al (US Pat No 5,982,863).

Regarding claim 1, Smiley et al teach a method for providing a call connection system, comprising the steps of:

initiating a call back request from a first user to a second user (fig. 5 and col 6, ln 11-ln 49);

sending the call back request from the first user to the second user (fig. 5 and col 6, ln 11-ln 49);

Art Unit: 2742

receiving the call back request (fig. 5 and col 6, ln 11-ln 49);

automatically connecting the first user and the second user when the second user accepts the call back request (fig. 5 and col 6, ln 11-ln 49).

Regarding claim 2, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, further comprising the step of: using a separate packet based network to determine if the second user is ready to accept the call back request (fig. 2 and col 2, ln 37-ln 63).

Regarding claim 3, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, further comprising the step of: bypassing call toll charges by using a packet based network for the sending of call back requests (fig. 2 and col 2, ln 37-ln 63).

Regarding claim 4, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, further comprising the step of: utilizing a computer for the sending of the call back requests to a server collecting the call back requests for immediate delivery to the second user (col 4, ln 37-ln 39).

Regarding claim 5, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, wherein the call back requests are automatically sent via at least one of an E-mail message, a page and a facsimile (col 1, ln 12-ln 26).

Art Unit: 2742

Regarding claim 6, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, wherein the call back requests are provided to the second user on a telephone display (col 6, ln 20-ln 31).

Regarding claim 7, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, wherein the call back requests are delivered to a voice mail system (col 7, ln 27-ln 43).

Regarding claim 8, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, further comprising the step of:

maintaining a connection between the first user and the second user for a predetermined period of time (col 4, ln 66 col 5, ln 7);

wherein the predetermined period of time is specified by the first user (col 4, ln 66 col 5, ln 7).

Regarding claim 9, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, wherein the first user is provided with the option of placing a message in a voice mail system (col 7, ln 27-ln 43).

Regarding claim 10, Smiley et al teach a method of providing an automated call connection system as defined in claim 1, wherein a personal digital assistant is used to initiate the call back request (col 2, ln 64-ln 11).

Regarding claim 11, Smiley et al teach a system for providing an automated call connection comprising:

Art Unit: 2742

a first user input for initiating and sending a call back request (fig. 5 and col 6, ln 11-ln 49);

a second user output for receiving the call back requests (fig. 5 and col 6, ln 11-ln 49);

a network connection for providing communication between the first user input and the second user output such that the callback request is automatically transferred between a first user and a second user (fig. 5 and col 6, ln 11-ln 49);

wherein a direct call is automatically placed from the second user to the first user when the second user accepts the call back request (fig. 5 and col 6, ln 11-ln 49).

Regarding claim 12, Smiley et al teach a system for providing an automated call connection as defined in claim 11, wherein the network connection includes a separate packet based network, the second packet based network determining if the second user is ready to accept the call back request (fig. 2 and col 2, ln 37-ln 63).

Regarding claim 13, Smiley et al teach a system for providing an automated call connection as defined in claim 12, wherein call toll charges are bypassed through use of the packet based network (fig. 2 and col 2, ln 37-ln 63).

Regarding claim 14, Smiley et al teach a system for providing an automated call connection as defined in claim 11, wherein the first user input is at least one of a personal data assistant, a computer, a telephone and a facsimile machine (fig. 2 and col 2, ln 37-ln 63).

Art Unit: 2742

Regarding claim 15, Smiley et al teach a system for providing an automated call connection as defined in claim 11, wherein the second user output is at least one of a personal data assistant, a computer, a telephone and a facsimile machine (fig. 2 and col 2, ln 37-ln 63).

Regarding claim 16, Smiley et al teach a system for providing an automated call connection as defined in claim 11, wherein the call back requests are automatically sent via at least one of an E-mail message, a page and a facsimile (col 1, ln 12-ln 26).

Regarding claim 17, Smiley et al teach a system for providing an automated call connection as defined in claim 1, wherein the call back requests are provided to the second user on a telephone display (col 6, ln 20-ln 31).

Regarding claim 18, Smiley et al teach a system for providing an automated call connection as defined in claim 11, wherein the call back requests are delivered to a voice mail system (col 7, ln 27-ln 43).

Regarding claim 19, Smiley et al teach a system for providing an automated call connection as defined in claim 11, wherein the network connection is maintained for a predetermined period of time, and the predetermined period of time is specified by the first user (col 4, ln 66 col 5, ln 7).

Conclusion

4. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Art Unit: 2742

Livanos (US Pat No 5,311,574) discloses automatic call back.

Friedes et al (US Pat No 5,311,583) disclose calling system with callback features.

Yoneda et al (US Pat No 5,590,183) disclose a keep call back device.

Bateman et al (US Pat No 5,884,032) disclose the customer contact channel changer.

5. **Any response to this action should be mailed to:**

Commissioner of Patents and Trademarks

Washington, D.C. 20231

or faxed to:

(703) 308-9051 or (703) 308-9052 (for formal communications intended
for entry)

Or:

(703) 308-5403 (for informal or draft communications, please label
"PROPOSED" or "DRAFT")

Hand-delivered responses should be brought to Crystal Park II, 2121 Crystal
Drive, Arlington, VA, Sixth Floor (Receptionist).

6. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Bing Bui whose telephone number is (703) 308-5858. The examiner can normally be reached on Monday through Thursday from 6:30 to 5:00.

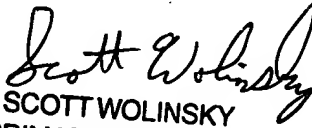
Art Unit: 2742

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Krista Zele, can be reached on (703) 305-4701. The fax phone number for the organization where this application or proceeding is assigned is (703) 308-5403.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Bing Bui

12/05/99


SCOTT WOLINSKY
PRIMARY EXAMINER